

**2007 DRAFTING REQUEST****Assembly Substitute Amendment (ASA-SB40)**

Received: 07/02/2007

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Michael Huebsch (608) 266-3387

By/Representing:

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: State Finance - bud generally

Extra Copies:

Submit via email: YES

Requester's email: Rep.Huebsch@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Assembly substitute amendment to the budget bill

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			jfrantze 07/03/2007		mbarman 07/03/2007	mbarman 07/03/2007	

FE Sent For:

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1?	chanaman	1 7/2 jkd	nwn 7/2	nwn 7/2			

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State of Wisconsin
2007 - 2008 LEGISLATURE

50110/1
LRBs0102/1

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ASIA

TODAY

SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40

June 20, 2007 - Offered by JOINT COMMITTEE ON FINANCE

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1 AN ACT relating to: state finances and appropriations, constituting the
2 executive budget act of the 2007 legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1b. 5.05 (5s) (c) of the statutes, as affected by 2007 Wisconsin Act 1,
4 is amended to read:

5 5.05 (5s) (c) The board shall provide information from investigation and
6 hearing records that pertains to the location of individuals and assets of individuals
7 as requested under s. 49.22 (2m) by the department of workforce development
8 children and families or by a county child support agency under s. 59.53 (5).

9 SECTION 1m. 6.47 (1) (ag) of the statutes is amended to read:

10 6.47 (1) (ag) "Domestic abuse victim service provider" means an organization
11 that is certified by the department of health and family services children and families

as eligible to receive grants under s. 46.95 49.165 (2) and whose name is included on the list provided by the board under s. 7.08 (10).

SECTION 2. 7.08 (10) of the statutes is amended to read:

7.08 (10) DOMESTIC ABUSE AND SEXUAL ASSAULT SERVICE PROVIDERS. Provide to each municipal clerk, on a continuous basis, the names and addresses of organizations that are certified under s. 46.95 49.165 (4) or 165.93 (4) to provide services to victims of domestic abuse or sexual assault.

SECTION 3d. 10.53 (title) of the statutes is amended to read:

10.53 (title) Revisor Legislative reference bureau to correct listings.

SECTION 3h. 10.53 (1g) of the statutes is amended to read:

10.53 (1g) In preparing each edition of the statutes for publication the revisor legislative reference bureau shall, if the revisor bureau finds that a conflict exists between the listings in ss. 10.62 to 10.82 and the substantive statutes to which those sections refer, correct the listing in this subchapter to properly reflect the intent of the substantive statute or of the act of the legislature on which the substantive statute is based.

SECTION 3p. 10.53 (1r) of the statutes is amended to read:

10.53 (1r) For any correction made by the revisor legislative reference bureau under the authority of this section, the revisor bureau shall prepare a note explaining the correction that shall be printed with the affected listing in this subchapter.

SECTION 3t. 10.53 (2) and (3) of the statutes are amended to read:

10.53 (2) If the revisor legislative reference bureau makes any correction under the authority of this section, the revisor bureau shall incorporate the change in a revisor's correction bill to be submitted to the legislature at its next regularly scheduled meeting.

1 (3) Whenever a new act of the legislature requires a position or person to give
2 an election notice or to perform a specific action in connection with any election, but
3 such act fails to create an appropriate paragraph for inclusion within the listings in
4 this subchapter, the revisor legislative reference bureau shall create and print the
5 appropriate paragraph in compliance with this section.

6 **SECTION 3w.** 13.094 of the statutes is repealed.

7 **SECTION 4.** 13.101 (6) (a) of the statutes is amended to read:

8 13.101 (6) (a) As an emergency measure necessitated by decreased state
9 revenues and to prevent the necessity for a state tax on general property, the
10 committee may reduce any appropriation made to any board, commission,
11 department, or the University of Wisconsin System, or to any other state agency or
12 activity, by such amount as it deems feasible, not exceeding 25% of the
13 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
14 (er) (vr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
15 (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
16 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
17 village, town, or school district. Appropriations of receipts and of a sum sufficient
18 shall for the purposes of this section be regarded as equivalent to the amounts
19 expended under such appropriations in the prior fiscal year which ended June 30.
20 All functions of said state agencies shall be continued in an efficient manner, but
21 because of the uncertainties of the existing situation no public funds should be
22 expended or obligations incurred unless there shall be adequate revenues to meet the
23 expenditures therefor. For such reason the committee may make reductions of such
24 appropriations as in its judgment will secure sound financial operations of the

1 administration for said state agencies and at the same time interfere least with their
2 services and activities.

3 **SECTION 5.** 13.101 (6) (a) of the statutes, as affected by 2007 Wisconsin Act ...
4 (this act), is amended to read:

5 13.101 (6) (a) As an emergency measure necessitated by decreased state
6 revenues and to prevent the necessity for a state tax on general property, the
7 committee may reduce any appropriation made to any board, commission,
8 department, or the University of Wisconsin System, or to any other state agency or
9 activity, by such amount as it deems feasible, not exceeding 25% of the
10 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
11 (vr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
12 (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and ~~20.445 (3)~~ 20.437 (2) (a) and (dz)
13 or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any
14 county, city, village, town, or school district. Appropriations of receipts and of a sum
15 sufficient shall for the purposes of this section be regarded as equivalent to the
16 amounts expended under such appropriations in the prior fiscal year which ended
17 June 30. All functions of said state agencies shall be continued in an efficient
18 manner, but because of the uncertainties of the existing situation no public funds
19 should be expended or obligations incurred unless there shall be adequate revenues
20 to meet the expenditures therefor. For such reason the committee may make
21 reductions of such appropriations as in its judgment will secure sound financial
22 operations of the administration for said state agencies and at the same time
23 interfere least with their services and activities.

24 **SECTION 7b.** 13.172 (1) of the statutes is amended to read:

1 13.172 (1) In this section, “agency” means an office, department, agency,
2 institution of higher education, association, society, or other body in state
3 government created or authorized to be created by the constitution or any law, that
4 is entitled to expend moneys appropriated by law, including the legislature and the
5 courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in
6 ch. 231, 233, or 234, or 279.

7 **SECTION 9.** 13.48 (14) (a) of the statutes is amended to read:

8 13.48 (14) (a) In this subsection, “agency” has the meaning given for “state
9 agency” in s. 20.001 (1), except that during the period prior to July 1, 2007, and the
10 period beginning on the effective date of this paragraph [revisor inserts date], and
11 ending on June 30, 2009, the term does not include the Board of Regents of the
12 University of Wisconsin System.

13 **SECTION 9c.** 13.48 (31) (a) of the statutes is amended to read:

14 13.48 (31) (a) The legislature finds and determines that it is in the public
15 interest to promote the public health and welfare and to provide for economic
16 development in this state by ensuring a fundamental and expanding capacity to
17 conduct biomedical research and to create new technologies; by training students in
18 the substance and methodology of biomedical research; and by providing scientific
19 support to individuals and organizations in this state who are engaged in biomedical
20 research and technological innovation. It is therefore the public policy of this state
21 to assist the Medical College of Wisconsin, Inc., in the construction of and installation
22 of equipment at facilities that will be used for biomedical research and the creation
23 of new technologies.

24 **SECTION 9e.** 13.48 (31) (b) of the statutes is amended to read:

1 13.48 (31) (b) On or after July 1, 2003, the building commission may authorize
2 up to ~~\$25,000,000~~ \$35,000,000 of general fund supported borrowing to aid in the
3 construction of and installation of equipment at a biomedical research and
4 technology incubator at the Medical College of Wisconsin, Inc. The state funding
5 commitment for the construction of and installation of equipment at the incubator
6 shall be in the form of a ~~construction~~ grant to the Medical College of Wisconsin, Inc.
7 Before the building commission may award the ~~construction~~ grant under this
8 paragraph, the Medical College of Wisconsin, Inc., must certify to the building
9 commission that the total funding commitments of the state and nonstate sources
10 will pay for the construction cost of and the cost of installation of equipment at the
11 incubator.

12 **SECTION 9h.** 13.48 (31) (c) (intro.) of the statutes is amended to read:

13 13.48 (31) (c) (intro.) If the building commission awards a ~~construction~~ grant
14 to the Medical College of Wisconsin, Inc., under this subsection, the Medical College
15 of Wisconsin, Inc., shall provide the state with an option to purchase the biomedical
16 research and technology incubator under the following conditions:

17 **SECTION 9n.** 13.48 (31) (d) of the statutes is amended to read:

18 13.48 (31) (d) If the state does not exercise the option to purchase the
19 biomedical research and technology incubator under par. (c), and if the incubator is
20 sold to any 3rd party, any agreement to sell the incubator shall provide that the state
21 has the right to receive an amount equal to the ~~construction~~ grants awarded to the
22 Medical College of Wisconsin, Inc., under this subsection from the net proceeds of any
23 such sale after any mortgage on the incubator has been satisfied and all other
24 secured debts have been paid. This right shall be paramount to the right of the
25 Medical College of Wisconsin, Inc., to the proceeds upon such sale.

1 **SECTION 9p.** 13.53 (2) (intro.) of the statutes is amended to read:

2 **13.53 (2) RESPONSIBILITIES.** (intro.) The joint legislative audit committee shall
3 have advisory responsibilities for the legislative audit bureau. The committee's
4 responsibility is subject to general supervision of the joint committee on legislative
5 organization. If the joint committee on information policy and technology is not
6 organized, the joint legislative audit committee shall assume the responsibilities
7 assigned to the joint committee on information policy and technology under ss.
8 16.971 (2) (Lg) and 16.973 (10) to (14) and s. 36.59. The joint legislative audit
9 committee may:

10 **SECTION 9q.** 13.55 (1) (a) 1. (intro.) of the statutes is amended to read:

11 13.55 (1) (a) 1. (intro.) There is created ~~a 9-member~~ an 8-member commission
12 on uniform state laws to advise the legislature with regard to uniform laws and
13 model laws. Except as provided under par. (b), the commission shall consist of all of
14 the following:

15 **SECTION 9r.** 13.55 (1) (a) 1. c. of the statutes is repealed.

16 **SECTION 10b.** 13.62 (2) of the statutes is amended to read:

17 13.62 (2) "Agency" means any board, commission, department, office, society,
18 institution of higher education, council, or committee in the state government, or any
19 authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233,
20 234, ~~or 237, or 279~~, except that the term does not include a council or committee of
21 the legislature.

22 **SECTION 11.** 13.63 (1) (am) of the statutes is amended to read:

23 13.63 (1) (am) If an individual who applies for a license under this section does
24 not have a social security number, the individual, as a condition of obtaining that
25 license, shall submit a statement made or subscribed under oath or affirmation to the

1 board that the individual does not have a social security number. The form of the
2 statement shall be prescribed by the department of workforce-development children
3 and families. A license issued in reliance upon a false statement submitted under
4 this paragraph is invalid.

5 **SECTION 12.** 13.63 (1) (b) of the statutes is amended to read:

6 13.63 (1) (b) Except as provided under par. (am), the board shall not issue a
7 license to an applicant who does not provide his or her social security number. The
8 board shall not issue a license to an applicant or shall revoke any license issued to
9 a lobbyist if the department of revenue certifies to the board that the applicant or
10 lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to
11 issue a license or shall suspend any existing license for failure of an applicant or
12 licensee to pay court-ordered payments of child or family support, maintenance,
13 birth expenses, medical expenses or other expenses related to the support of a child
14 or former spouse or failure of an applicant or licensee to comply, after appropriate
15 notice, with a subpoena or warrant issued by the department of workforce
16 development children and families or a county child support agency under s. 59.53
17 (5) and related to paternity or child support proceedings, as provided in a
18 memorandum of understanding entered into under s. 49.857. No application may
19 be disapproved by the board except an application for a license by a person who is
20 ineligible for licensure under this subsection or s. 13.69 (4) or an application by a
21 lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only
22 for the period of such ineligibility or revocation.

23 **SECTION 13.** 13.64 (2) of the statutes is amended to read:

24 13.64 (2) The registration shall expire on December 31 of each even-numbered
25 year. Except as provided in sub. (2m), the board shall refuse to accept a registration

1 statement filed by an individual who does not provide his or her social security
2 number. The board shall refuse to accept a registration statement filed by an
3 individual or shall suspend any existing registration of an individual for failure of
4 the individual or registrant to pay court-ordered payments of child or family
5 support, maintenance, birth expenses, medical expenses or other expenses related
6 to the support of a child or former spouse or failure of the individual or registrant to
7 comply, after appropriate notice, with a subpoena or warrant issued by the
8 department of workforce development children and families or a county child
9 support agency under s. 59.53 (5) and related to paternity or child support
10 proceeding, as provided in a memorandum of understanding entered into under s.
11 49.857. If all lobbying by or on behalf of the principal which is not exempt under s.
12 13.621 ceases, the board shall terminate the principal's registration and any
13 authorizations under s. 13.65 as of the day after the principal files a statement of
14 cessation and expense statements under s. 13.68 for the period covering all dates on
15 which the principal was registered. Refusal to accept a registration statement or
16 suspension of an existing registration pursuant to a memorandum of understanding
17 under s. 49.857 is not subject to review under ch. 227.

18 **SECTION 14.** 13.64 (2m) of the statutes is amended to read:

19 13.64 (2m) If an individual who applies for registration under this section does
20 not have a social security number, the individual, as a condition of obtaining
21 registration, shall submit a statement made or subscribed under oath or affirmation
22 to the board that the individual does not have a social security number. The form of
23 the statement shall be prescribed by the department of workforce development
24 children and families. A registration accepted in reliance upon a false statement
25 submitted under this subsection is invalid.

SECTION 14d. 13.83 (1) (c) 1. of the statutes is amended to read:

13.83 (1) (c) 1. Consider decisions and opinions referred to it by the revisor of statutes legislative reference bureau under s. ~~13.93 (2) (d)~~ 13.92 (2) (j) to determine whether revisions are needed in the statutes or session laws.

SECTION 14h. 13.83 (1) (c) 2. of the statutes is amended to read:

13.83 (1) (c) 2. Consider bills referred to it by the revisor of statutes legislative reference bureau under s. ~~13.93 (2) (j)~~ 13.92 (2) (L).

SECTION 14p. 13.83 (1) (c) 3. of the statutes is amended to read:

13.83 (1) (c) 3. Consider bills referred to it by the revisor of statutes legislative reference bureau under s. ~~13.93 (1) and (2) (c)~~ 13.92 (1) (bm) and (2) (i).

SECTION 14t. 13.83 (1) (g) 3. of the statutes is amended to read:

13.83 (1) (g) 3. Supply the revisor of statutes legislative reference bureau with the texts of and information relating to the parties to interstate agreements to which this state is a party.

SECTION 15. 13.83 (3) (f) (intro.) of the statutes is amended to read:

13.83 (3) (f) (intro.) The special committee shall be assisted by a technical advisory committee composed of ~~7~~ 8 members representing the following:

SECTION 16. 13.83 (3) (f) 2m. of the statutes is created to read:

13.83 (3) (f) 2m. The department of children and families.

SECTION 17. 13.83 (4) (a) 9. of the statutes is repealed.

SECTION 17a. 13.83 (4) (am) of the statutes is created to read:

13.83 (4) (am) The special committee shall advise the department of children and families regarding the administration of the programs administered by that department.

SECTION 17be. 13.90 (1) (intro.) of the statutes is amended to read:

1 13.90 (1) (intro.) The joint committee on legislative organization shall be the
2 policy-making board for the legislative reference bureau, the revisor of statutes
3 bureau, the legislative fiscal bureau, the legislative audit bureau and the legislative
4 technology services bureau. The committee shall:

5 **SECTION 17br.** 13.90 (1m) (a) of the statutes is amended to read:

6 13.90 (1m) (a) In this subsection, "legislative service agency" means the
7 legislative council staff, the legislative audit bureau, the legislative fiscal bureau,
8 the legislative reference bureau, the revisor of statutes bureau and the legislative
9 technology services bureau.

10 **SECTION 17dr.** 13.92 (1) (b) 5. of the statutes is amended to read:

11 13.92 (1) (b) 5. ~~In cooperation with the revisor of statutes, prepare~~ Prepare a
12 biennial list of numerical cross-references in the statutes to other parts of the
13 statutes.

14 **SECTION 17fe.** 13.92 (2) (g) of the statutes is repealed.

15 **SECTION 17fh.** 13.92 (3) of the statutes is renumbered 13.92 (3) (a).

16 **SECTION 17fm.** 13.92 (3) (b) of the statutes is created to read:

17 13.92 (3) (b) Notwithstanding s. 230.08 (2) (fc), those employees holding
18 positions in the classified service at the revisor of statutes bureau on the effective
19 date of this paragraph [revisor inserts date], who have achieved permanent status
20 in class before that date, if they become employed by the legislative reference bureau
21 under 2007 Wisconsin Act (this act), section 9130 (1f) (d) 1. or 2., shall retain, while
22 serving in the unclassified service at the legislative reference bureau, those
23 protections afforded employees in the classified service under ss. 230.34 (1) (a) and
24 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base
25 pay. Each such employee shall also have reinstatement privileges to the classified

1 service as provided under s. 230.31 (1) and any other reinstatement privileges or
2 restoration rights provided under an applicable collective bargaining agreement
3 under subch. V of ch. 111 covering the employee on the effective date of this
4 paragraph [revisor inserts date].

5 **SECTION 17fr.** 13.93 (intro.) of the statutes is repealed.

6 **SECTION 17he.** 13.93 (1) of the statutes is renumbered 13.92 (1) (bm), and 13.92
7 (1) (bm) (intro.), 2. and 13. (intro.), as renumbered, are amended to read:

8 13.92 (1) (bm) *Duties of the bureau* Revision of statutes. (intro.) The revisor of
9 statutes legislative reference bureau shall prepare copy for the biennial Wisconsin
10 statutes, and for this purpose it:

11 2. May renumber any chapter or section of the statutes for the purpose of
12 revision, and shall change reference numbers to agree with any renumbered chapter
13 or section. Where the term “preceding section” or similar expressions are used in the
14 statutes the revisor of statutes bureau may change the same by inserting the proper
15 section or chapter reference.

16 13. (intro.) Shall, whenever any statute is affected by any act of the legislature,
17 and may, at the revisor’s bureau’s discretion, ensure that the statutory language does
18 not discriminate on the basis of sex by making the following corrections, which shall
19 have no substantive effect:

20 **SECTION 17hr.** 13.93 (1m) of the statutes is repealed.

21 **SECTION 17je.** 13.93 (2) (intro.) of the statutes is repealed.

22 **SECTION 17jr.** 13.93 (2) (a) of the statutes is repealed.

23 **SECTION 17Le.** 13.93 (2) (b) of the statutes is repealed.

24 **SECTION 17Lr.** 13.93 (2) (c) of the statutes is renumbered 13.92 (2) (i) and
25 amended to read:

1 13.92 (2) (i) Serve as editor of the biennial Wisconsin statutes. In preparing
2 each edition, if 2 or more acts of a legislative session affect the same statutory unit
3 without taking cognizance of the effect thereon of the other acts and if the revisor
4 chief finds that there is no mutual inconsistency in the changes made by each such
5 act, the revisor chief shall incorporate the changes made by each act into the text of
6 the statutory unit and document the incorporation in a note to the section. For each
7 such incorporation, the revisor chief shall include in a correction bill a provision
8 formally validating the incorporation. Section 990.07 is not affected by printing
9 decisions made by the revisor chief under this paragraph.

10 **SECTION 17ne.** 13.93 (2) (d) of the statutes is renumbered 13.92 (2) (j).

11 **SECTION 17nr.** 13.93 (2) (e) of the statutes is renumbered 13.92 (2) (jm) and
12 amended to read:

13 13.92 (2) (jm) Attend all scheduled meetings and serve as the nonvoting
14 secretary of the committee for review of administrative rules under s. 13.56. The
15 chief of the legislative reference bureau may designate an employee to perform the
16 duties under this paragraph.

17 **SECTION 17pe.** 13.93 (2) (f) of the statutes is repealed.

18 **SECTION 17pr.** 13.93 (2) (g) of the statutes is repealed.

19 **SECTION 17re.** 13.93 (2) (h) of the statutes is renumbered 13.92 (2) (k).

20 **SECTION 17rr.** 13.93 (2) (i) of the statutes is repealed.

21 **SECTION 17te.** 13.93 (2) (j) of the statutes is renumbered 13.92 (2) (L) and
22 amended to read:

23 13.92 (2) (L) In cooperation with the law revision committee, systematically
24 examine and identify for revision by the legislature the statutes and session laws to
25 eliminate defects, anachronisms, conflicts, ambiguities, and unconstitutional or

1 obsolete provisions. The ~~revisor~~ chief shall prepare and, at each session of the
2 legislature, present to the law revision committee bills that eliminate identified
3 defects, anachronisms, conflicts, ambiguities, and unconstitutional or obsolete
4 provisions. These bills may include minor substantive changes in the statutes and
5 session laws necessary to accomplish the purposes of this paragraph. The ~~revisor~~
6 chief may resubmit to the law revision committee in subsequent sessions of the
7 legislature any bill prepared under this paragraph that was not enacted.

8 **SECTION 17tr.** 13.93 (2) (k) of the statutes is repealed.

9 **SECTION 17ve.** 13.93 (2m) of the statutes is renumbered 13.92 (4), and 13.92
10 (4) (title), (a), (b) (intro.), (c), (d), (e) and (f), as renumbered, are amended to read:

11 13.92 (4) (title) ~~DUTIES OF REVISOR AND BUREAU~~; WISCONSIN ADMINISTRATIVE CODE.

12 (a) The ~~revisor of statutes bureau~~ legislative reference bureau shall prepare copy for
13 publication in the Wisconsin administrative code.

14 (b) (intro.) The ~~revisor of statutes bureau~~ legislative reference bureau may do
15 any of the following:

16 (c) The ~~revisor of statutes bureau~~ legislative reference bureau may insert in the
17 Wisconsin administrative code a note explaining any change made under par. (b).

18 (d) Sections 227.114, 227.116, 227.135 and 227.14 to 227.24 do not apply to any
19 change made by the ~~revisor of statutes bureau~~ legislative reference bureau under
20 par. (b).

21 (e) The ~~revisor of statutes bureau~~ legislative reference bureau shall prepare
22 and keep on file a record of each change made under par. (b).

23 (f) The ~~revisor of statutes bureau~~ legislative reference bureau shall notify the
24 agency involved of each change made under par. (b).

1 **SECTION 17vr.** 13.93 (3) (intro.) of the statutes is renumbered 13.92 (2m)
2 (intro.) and amended to read:

3 **13.92 (2m) PRINTING COSTS.** (intro.) Payments for the following costs shall be
4 administered by the ~~revisor of statutes~~ legislative reference bureau:

5 **SECTION 17we.** 13.93 (3) (a) of the statutes is renumbered 13.92 (2m) (a).

6 **SECTION 17wr.** 13.93 (3) (b) of the statutes is renumbered 13.92 (2m) (b).

7 **SECTION 17xe.** 13.93 (3) (c) of the statutes is renumbered 13.92 (2m) (c).

8 **SECTION 17xr.** 13.93 (3) (d) of the statutes is renumbered 13.92 (2m) (d).

9 **SECTION 18.** 13.94 (4) (a) 1. of the statutes is amended to read:

10 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
11 credentialing board, commission, independent agency, council or office in the
12 executive branch of state government; all bodies created by the legislature in the
13 legislative or judicial branch of state government; any public body corporate and
14 politic created by the legislature including specifically the Fox River Navigational
15 System Authority, the Lower Fox River Remediation Authority, and the Wisconsin
16 Aerospace Authority, a professional baseball park district, a local professional
17 football stadium district, a local cultural arts district and a family long-term care
18 district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49;
19 every provider of medical assistance under subch. IV of ch. 49; technical college
20 district boards; development zones designated under s. 560.71; every county
21 department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or
22 unincorporated cooperative association to which moneys are specifically
23 appropriated by state law; and every corporation, institution, association or other
24 organization which receives more than 50% of its annual budget from appropriations
25 made by state law, including subgrantee or subcontractor recipients of such funds.

1 **SECTION 19.** 13.94 (4) (b) of the statutes is amended to read:

2 13.94 (4) (b) In performing audits of family long-term care districts under s.
3 46.2895, Wisconsin works agencies under subch. III of ch. 49, providers of medical
4 assistance under subch. IV of ch. 49, corporations, institutions, associations, or other
5 organizations, and their subgrantees or subcontractors, the legislative audit bureau
6 shall audit only the records and operations of such providers and organizations
7 which pertain to the receipt, disbursement or other handling of appropriations made
8 by state law.

9 **SECTION 20b.** 13.95 (intro.) of the statutes is amended to read:

10 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
11 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau
12 shall be strictly nonpartisan and shall at all times observe the confidential nature
13 of the research requests received by it; however, with the prior approval of the
14 requester in each instance, the bureau may duplicate the results of its research for
15 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's
16 designated employees shall at all times, with or without notice, have access to all
17 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
18 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,
19 the Lower Fox River Remediation Authority, and the Fox River Navigational System
20 Authority, and to any books, records, or other documents maintained by such
21 agencies or authorities and relating to their expenditures, revenues, operations, and
22 structure.

23 **SECTION 21.** 14.18 of the statutes is amended to read:

24 **14.18 Assistance from department of workforce development children**
25 **and families.** The governor may enter into a cooperative arrangement with the

1 department of ~~workforce development~~ children and families under which the
2 department assists the governor in providing temporary assistance for needy
3 families under 42 USC 601 et. seq.

4 **SECTION 22.** 14.83 of the statutes is amended to read:

5 **14.83 Interstate insurance receivership commission.** There is created an
6 interstate insurance receivership commission as specified in s. 601.59 (3). The
7 member of the commission representing this state shall be the commissioner of
8 insurance or his or her designated representative. The commission member shall
9 serve without compensation but shall be reimbursed from the appropriation under
10 s. 20.145 (1) (g) 1, for actual and necessary expenses incurred in the performance of
11 his or her duties. The commission has the powers and duties granted and imposed
12 under s. 601.59.

13 **SECTION 23.** 14.90 (3) of the statutes is repealed.

14 **SECTION 25.** 15.01 (6) of the statutes is amended to read:

15 15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a
16 department or an independent agency, whether specifically created by law or created
17 by the head of the department or the independent agency for the more economic and
18 efficient administration and operation of the programs assigned to the department
19 or independent agency. The office of justice assistance in the department of
20 administration, the office of energy independence in the department of
21 administration, the office of the Wisconsin Covenant Scholars Program in the
22 department of administration, and the office of credit unions in the department of
23 financial institutions have the meaning of "division" under this subsection. The
24 office of the long-term care ombudsman under the board on aging and long-term

1 care and the office of educational accountability in the department of public
2 instruction have the meaning of “bureau” under this subsection.

3 **SECTION 26.** 15.02 (3) (c) 1. of the statutes is amended to read:

4 15.02 (3) (c) 1. The principal subunit of the department is the “division”. Each
5 division shall be headed by an “administrator”. The office of justice assistance in the
6 department of administration, the office of the Wisconsin Covenant Scholars
7 Program in the department of administration, and the office of credit unions in the
8 department of financial institutions have the meaning of “division” and the executive
9 staff director of the office of justice assistance in the department of administration,
10 the director of the office of the Wisconsin Covenant Scholars Program in the
11 department of administration, and the director of credit unions have the meaning of
12 “administrator” under this subdivision.

13 **SECTION 28e.** 15.07 (1)(a) 5m. of the statutes is created to read:

14 15.07 (1) (a) 5m. Members of the University of Wisconsin Hospitals and Clinics
15 Board appointed under s. 15.96 (1) (ag) shall be appointed as provided in that section.

16 **SECTION 28m.** 15.07 (1) (a) 6. of the statutes is amended to read:

17 15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics
18 Board appointed under s. 15.96 (8) (1) (h) shall be appointed by the governor without
19 senate confirmation.

20 **SECTION 30.** 15.07 (2) (n) of the statutes is created to read:

21 15.07 (2) (n) The member appointed under s. 15.345 (6) (a) shall serve as
22 chairperson of the managed forest land board.

23 **SECTION 30c.** 15.07 (4) of the statutes is amended to read:

24 15.07 (4) QUORUM. A majority of the membership of a board constitutes a
25 quorum to do business and, unless a more restrictive provision is adopted by the

1 board, a majority of a quorum may act in any matter within the jurisdiction of the
2 board. This subsection does not apply to actions of the University of Wisconsin
3 Hospitals and Clinics Board, the ethics board, or the school district boundary appeal
4 board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

5 **SECTION 30g.** 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and
6 2007 Wisconsin Act (this act), is repealed and recreated to read:

7 15.07 (4) QUORUM. A majority of the membership of a board constitutes a
8 quorum to do business and, unless a more restrictive provision is adopted by the
9 board, a majority of a quorum may act in any matter within the jurisdiction of the
10 board. This subsection does not apply to actions of the government accountability
11 board, the University of Wisconsin Hospitals and Clinics Board, or the school district
12 boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

13 **SECTION 33.** 15.105.(19) of the statutes is renumbered 15.105 (19) (a).

14 **SECTION 34.** 15.105 (19) (b) of the statutes is created to read:

15 15.105 (19) (b) There is created in the office of justice assistance a bureau of
16 criminal justice research.

17 **SECTION 35.** 15.105 (27) of the statutes is repealed.

18 **SECTION 35m.** 15.105 (30) of the statutes is created to read:

19 15.105 (30) OFFICE OF ENERGY INDEPENDENCE. There is created an office of
20 energy independence in the department of administration. The office shall be
21 headed by an executive director and shall have staff sufficient to carry out the duties
22 under s. 16.956.

23 **SECTION 35p.** 15.105 (31) of the statutes is created to read:

24 15.105 (31) OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM. There is
25 created an office of the Wisconsin Covenant Scholars Program in the department of

1 administration. The director of the office shall be appointed by the secretary of
2 administration.

3 **SECTION 37e.** 15.155 (1) (a) 6. of the statutes is amended to read:

4 15.155 (1) (a) 6. Six other members appointed nominated by the governor, and
5 with the advice and consent of the senate appointed, for 2-year terms.

6 **SECTION 37f.** 15.155 (1) (a) 7. of the statutes is created to read:

7 15.155 (1) (a) 7. One member appointed by the speaker of the assembly.

8 **SECTION 37g.** 15.155 (1) (a) 8. of the statutes is created to read:

9 15.155 (1) (a) 8. One member appointed by the senate majority leader.

10 **SECTION 38.** 15.155 (5) of the statutes is amended to read:

11 15.155 (5) SMALL BUSINESS REGULATORY REVIEW BOARD. There is created a small
12 business regulatory review board, attached to the department of commerce under s.
13 15.03. The board shall consist of a representative of the department of
14 administration; a representative of the department of agriculture, trade and
15 consumer protection; a representative of the department of children and families; a
16 representative of the department of commerce; a representative of the department
17 of health and family services; a representative of the department of natural
18 resources; a representative of the department of regulation and licensing; a
19 representative of the department of revenue; a representative of the department of
20 workforce development; 6 representatives of small businesses, as defined in s.
21 227.114 (1), who shall be appointed for 3-year terms; and the chairpersons of one
22 senate and one assembly committee concerned with small businesses, appointed as
23 are members of standing committees. The representatives of the departments shall
24 be selected by the secretary of that department.

1 **SECTION 39.** 15.195 (4) (intro.) of the statutes is renumbered 15.205 (4) (intro.)
2 and amended to read:

3 **15.205 (4) CHILD ABUSE AND NEGLECT PREVENTION BOARD.** (intro.) There is
4 created a child abuse and neglect prevention board which is attached to the
5 department of health and family services children and families under s. 15.03. The
6 board shall consist of 20 members as follows:

7 **SECTION 40.** 15.195 (4) (a) of the statutes is renumbered 15.205 (4) (a).

8 **SECTION 41.** 15.195 (4) (b) of the statutes is renumbered 15.205 (4) (b).

9 **SECTION 42.** 15.195 (4) (c) of the statutes is renumbered 15.205 (4) (c).

10 **SECTION 43.** 15.195 (4) (d) of the statutes is renumbered 15.205 (4) (d).

11 **SECTION 44.** 15.195 (4) (dg) of the statutes is renumbered 15.205 (4) (dg).

12 **SECTION 45.** 15.195 (4) (dr) of the statutes is renumbered 15.205 (4) (dr) and
13 amended to read:

14 15.205 (4) (dr) The secretary of workforce development children and families
15 or his or her designee.

16 **SECTION 46.** 15.195 (4) (e) of the statutes is renumbered 15.205 (4) (e).

17 **SECTION 47.** 15.195 (4) (em) of the statutes is renumbered 15.205 (4) (em).

18 **SECTION 48.** 15.195 (4) (f) of the statutes is renumbered 15.205 (4) (f).

19 **SECTION 49.** 15.195 (4) (fm) of the statutes is renumbered 15.205 (4) (fm).

20 **SECTION 50.** 15.195 (4) (g) of the statutes is renumbered 15.205 (4) (g).

21 **SECTION 52d.** 15.197 (11n) of the statutes is renumbered 15.207 (11n), and
22 15.207 (11n) (ag), as renumbered, is amended to read:

23 15.207 (11n) (ag) There is created a council on developmental disabilities,
24 attached to the department of health and family services children and families under
25 s. 15.03.

1 **SECTION 53.** 15.197 (16) of the statutes is renumbered 15.207 (16) and amended
2 to read:

3 **15.207 (16).** COUNCIL ON DOMESTIC ABUSE. There is created in the department
4 of ~~health and family services~~ children and families a council on domestic abuse. The
5 council shall consist of 13 members appointed for staggered 3-year terms. Of those
6 13 members, 9 shall be nominated by the governor and appointed with the advice and
7 consent of the senate, and one each shall be designated by the speaker of the
8 assembly, the senate majority leader and the minority leader in each house of the
9 legislature and appointed by the governor. Persons appointed shall have a
10 recognized interest in and knowledge of the problems and treatment of victims of
11 domestic abuse.

12 **SECTION 54.** 15.197 (24) (a) (intro.) of the statutes is renumbered 15.207 (24)
13 (a) (intro.) and amended to read:

14 **15.207 (24) (a) (intro.)** There is created a Milwaukee child welfare partnership
15 council, attached to the department of ~~health and family services~~ children and
16 families under s. 15.03. The council shall consist of the following members:

17 **SECTION 55.** 15.197 (24) (a) 1. of the statutes is renumbered 15.207 (24) (a) 1.

18 **SECTION 56.** 15.197 (24) (a) 2. of the statutes is renumbered 15.207 (24) (a) 2.

19 **SECTION 57.** 15.197 (24) (a) 3. of the statutes is renumbered 15.207 (24) (a) 3.

20 **SECTION 58.** 15.197 (24) (a) 4. of the statutes is renumbered 15.207 (24) (a) 4.

21 **SECTION 59.** 15.197 (24) (a) 5. of the statutes is renumbered 15.207 (24) (a) 5.

22 **SECTION 60.** 15.197 (24) (a) 6. of the statutes is renumbered 15.207 (24) (a) 6.

23 **SECTION 61.** 15.197 (24) (a) 7. of the statutes is renumbered 15.207 (24) (a) 7.

24 **SECTION 62.** 15.197 (24) (b) of the statutes is renumbered 15.207 (24) (b).

25 **SECTION 63.** 15.197 (24) (c) of the statutes is renumbered 15.207 (24) (c).

1 **SECTION 64.** 15.197 (24) (d) of the statutes is renumbered 15.207 (24) (d) and
2 amended to read:

3 15.207 (24) (d) If the department of workforce development children and
4 families establishes more than one geographical area in Milwaukee County under
5 s. 49.143 (6), the children's services networks established in Milwaukee County
6 under s. 49.143 (2) (b), in nominating members under par. (a) 7., shall nominate
7 residents of different geographical areas established under s. 49.143 (6) and, when
8 the term of a member appointed under par. (a) 7. ends or if a vacancy occurs in the
9 membership of the council under par. (a) 7., those children's services networks shall
10 nominate a resident of a different geographical area established under s. 49.143 (6)
11 from the geographical area of the member who is being replaced according to a
12 rotating order of succession determined by the children's services networks.

13 **SECTION 65.** 15.20 of the statutes is created to read:

14 **15.20 Department of children and families; creation.** There is created a
15 department of children and families under the direction and supervision of the
16 secretary of children and families.

17 **SECTION 66.** 15.205 (title) of the statutes is created to read:

18 **15.205 (title) Same; attached boards.**

19 **SECTION 67.** 15.207 (title) of the statutes is created to read:

20 **15.207 (title) Same; councils.**

21 **SECTION 68.** 15.345 (6) of the statutes is created to read:

22 **15.345 (6) MANAGED FOREST LAND BOARD.** There is created in the department of
23 natural resources a managed forest land board consisting of the chief state forester
24 or his or her designee and the following members appointed for 3-year terms:

(a) One member appointed from a list of 5 nominees submitted by the Wisconsin Counties Association.

(b) One member appointed from a list of 5 nominees submitted by the Wisconsin Towns Association.

(c) One member appointed from a list of 5 nominees submitted by an association that represents the interests of counties that have county forests within their boundaries.

(d) One member appointed from a list of 5 nominees submitted by the council on forestry.

SECTION 68k. 15.96 (title) of the statutes is amended to read:

15.96 (title) University of Wisconsin Hospitals and Clinics Board; creation.

SECTION 68L. 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a) and (am), as renumbered, are amended to read.

15.96 (1) (a) Three members nominated by the governor, and with the advice and consent of the senate appointed, for ~~3-year~~ 5-year terms.

(am) Each cochairperson of the joint committee on finance or a member of the committee legislature designated by that cochairperson.

SECTION 68m. 15.96 (1) (ag) of the statutes is created to read:

15.96 (1) (ag) Three members nominated by the board and appointed by the governor, with the advice and consent of the senate, for 5-year terms.

SECTION 68n. 15.96 (2) of the statutes is created to read:

15.96 (2) Eight voting members of the University of Wisconsin Hospitals and Clinics Board constitute a quorum for the purpose of conducting the business and exercising the powers of the board, notwithstanding the existence of a vacancy.

1 **SECTION 69b.** 16.002 (2) of the statutes is amended to read:

2 16.002 (2) "Departments" means constitutional offices, departments, and
3 independent agencies and includes all societies, associations, and other agencies of
4 state government for which appropriations are made by law, but not including
5 authorities created in subch. II of ch. 114 or subch. III of ch. 149 and in chs. 231, 232,
6 233, 234, 235, and 237, and 279.

7 **SECTION 70b.** 16.004 (4) of the statutes is amended to read:

8 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
9 department as the secretary designates may enter into the offices of state agencies
10 and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under
11 chs. 231, 233, 234, and 237, and 279, and may examine their books and accounts and
12 any other matter that in the secretary's judgment should be examined and may
13 interrogate the agency's employees publicly or privately relative thereto.

14 **SECTION 71b.** 16.004 (5) of the statutes is amended to read:

15 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
16 authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs.
17 231, 233, 234, and 237, and 279, and their officers and employees, shall cooperate
18 with the secretary and shall comply with every request of the secretary relating to
19 his or her functions.

20 **SECTION 71p.** 16.004 (12) (a) of the statutes is amended to read:

21 16.004 (12) (a) In this subsection, "state agency" means an association,
22 authority, board, department, commission, independent agency, institution, office,
23 society, or other body in state government created or authorized to be created by the
24 constitution or any law, including the legislature, the office of the governor, and the
25 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,

1 the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan
2 Authority, the Lower Fox River Remediation Authority, and the Fox River
3 Navigational System Authority.

4 **SECTION 74.** 16.009 (2) (p) (intro.) of the statutes is amended to read:

5 16.009 (2) (p) (intro.) ~~Contract~~ Employ staff within the classified service or
6 contract with one or more organizations to provide advocacy services to potential or
7 actual recipients of the family care benefit, as defined in s. 46.2805 (4), or their
8 families or guardians. The board and contract organizations under this paragraph
9 shall assist these persons in protecting their rights under all applicable federal
10 statutes and regulations and state statutes and rules. An organization with which
11 the board contracts for these services may not be a provider, nor an affiliate of a
12 provider, of long-term care services, a resource center under s. 46.283 or a care
13 management organization under s. 46.284. For potential or actual recipients of the
14 family care benefit, advocacy services required under this paragraph shall include
15 all of the following:

16 **SECTION 76b.** 16.045 (1) (a) of the statutes is amended to read:

17 16.045 (1) (a) "Agency" means an office, department, independent agency,
18 institution of higher education, association, society, or other body in state
19 government created or authorized to be created by the constitution or any law, that
20 is entitled to expend moneys appropriated by law, including the legislature and the
21 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
22 ch. 149 or in ch. 231, 232, 233, 234, 235, or 237, or 279.

23 **SECTION 76m.** 16.15 (1) (ab) of the statutes is amended to read:

24 16.15 (1) (ab) "Authority" has the meaning given under s. 16.70 (2), but
25 excludes the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox

1 River Remediation Authority, and the Health Insurance Risk-Sharing Plan
2 Authority.

3 **SECTION 76r.** 16.19 of the statutes is created to read:

4 **16.19 Civil legal services for the indigent.** Annually, the department shall
5 pay the amount appropriated under s. 20.505 (1) (e) to the Wisconsin Trust Account
6 Foundation, Inc., to provide civil legal services to indigent persons. The Wisconsin
7 Trust Account Foundation, Inc., shall distribute the amount received as grants to
8 programs that provide civil legal services to indigent persons, and those programs
9 may use the grant funds to match other federal and private grants. The grants may
10 be used only for the purposes for which the funding was provided.

11 **SECTION 77.** 16.22 (4) of the statutes is created to read:

12 **16.22 (4) STATE FUNDING.** The department shall annually determine the
13 amount of funding for administrative support of the board that is required for this
14 state to qualify for federal financial assistance to be provided to the board. The
15 department shall apportion that amount equally among the departments of
16 administration, health and family services, public instruction, and workforce
17 development and shall assess those entities for the necessary funding. The
18 department shall credit the moneys received to the appropriation account under s.
19 20.505 (4) (kb).

20 **SECTION 78.** 16.257 of the statutes is created to read:

21 **16.257 Postsecondary education promotion.** For the purpose of
22 promoting attendance at nonprofit postsecondary institutions in this state, the
23 department shall do all of the following:

24 (1) Serve as the state's liaison agency between the higher educational aids
25 board, the department of public instruction, the University of Wisconsin System, the

1 technical college system, and other public and private organizations that are
2 interested in promoting postsecondary education in this state.

3 (2) (a) Contract with The Wisconsin Covenant Foundation, Inc., if the secretary
4 determines it appropriate, to pay The Wisconsin Covenant Foundation, Inc., an
5 amount not to exceed the amount appropriated under s. 20.505 (4) (bm), to establish
6 and implement a campaign to promote attendance at nonprofit postsecondary
7 educational institutions in this state. Funds may be expended to carry out the
8 contract only as provided in pars. (b) and (c).

9 (b) No funds appropriated under s. 20.505 (4) (bm) may be expended until the
10 The Wisconsin Covenant Foundation, Inc., submits to the secretary a report setting
11 forth the amount of private contributions received by The Wisconsin Covenant
12 Foundation, Inc., since the date on which The Wisconsin Covenant Foundation, Inc.,
13 last submitted a report under this paragraph. After receiving the report, the
14 secretary may approve the expenditure of funds up to the amount set forth in the
15 report. Total funds expended in any fiscal year may not exceed the amounts in the
16 schedule under s. 20.505 (4) (bm).

17 (c) The Wisconsin Covenant Foundation, Inc., shall expend funds appropriated
18 under s. 20.505 (4) (bm) in adherence with the uniform travel schedule amounts
19 approved under s. 20.916 (8). The Wisconsin Covenant Foundation, Inc., may not
20 expend funds appropriated under s. 20.505 (4) (bm) on entertainment, foreign travel,
21 payments to persons not providing goods or services to The Wisconsin Covenant
22 Foundation, Inc., or for other purposes prohibited by contract between The
23 Wisconsin Covenant Foundation, Inc., and the department.

1 (3) Coordinate the postsecondary education promotional activities of the
2 department, the persons specified in sub. (1), and The Wisconsin Covenant
3 Foundation, Inc., and prevent duplication of effort in conducting those activities.

4 (5) On or before July 1, 2009, and every July 1 thereafter, submit to the chief
5 clerk of each house of the legislature, for distribution to the appropriate standing
6 committees under s. 13.172 (3), a report on the postsecondary education promotional
7 activities conducted by The Wisconsin Covenant Foundation, Inc., using funds
8 provided under s. 20.505 (4) (bm).

9 **SECTION 79m.** 16.40 (24) of the statutes is created to read:

10 **16.40 (24) AIDS FOR CERTAIN LOCAL PURCHASES AND PROJECTS.** Provide funding
11 from the appropriation under s. 20.855 (4) (fs) on a one-time basis in the 2007–08
12 fiscal year for the purposes specified in 2007 Wisconsin Act ... (this act), section 9155
13 (5a).

14 **SECTION 79n.** 16.40 (24) of the statutes, as created by 2007 Wisconsin Act ...
15 (this act), is repealed.

16 **SECTION 80b.** 16.41 (4) of the statutes is amended to read:

17 16.41 (4) In this section, “authority” means a body created under subch. II of
18 ch. 114 or subch. III of ch. 149 or under ch. 231, 233, 234, or 237, or 279.

19 **SECTION 81b.** 16.417 (1) (b) of the statutes is amended to read:

20 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
21 ch. 231, 232, 233, 234, 235, or 237, or 279.

22 **SECTION 82.** 16.42 (1) (f) of the statutes is repealed.

23 **SECTION 83.** 16.423 of the statutes is repealed.

24 **SECTION 84.** 16.46 (5g) of the statutes is repealed.

25 **SECTION 86b.** 16.52 (7) of the statutes is amended to read:

16.52 (7) PETTY CASH ACCOUNT. Petty cash account. With the approval of the secretary, each agency that is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, ~~or 237~~, or 279.

SECTION 86d. 16.527 (2) (a) of the statutes is renumbered 16.527 (2) (am).

SECTION 86h. 16.527 (2) (ad) of the statutes is created to read:

16.527 (2) (ad) "Aggregate expected debt service and net exchange payments" means the sum of the following:

1. The aggregate net payments expected to be made and received under a specified interest exchange agreement under sub. (4) (e).

2. The aggregate debt service expected to be made on obligations related to that agreement.

3. The aggregate net payments expected to be made and received under all other interest exchange agreements under sub. (4) (e) relating to those obligations that are in force at the time of executing the agreement.

SECTION 87. 16.527 (4) (e) of the statutes is amended to read:

16.527 (4) (e) At Subject to pars. (h) and (i), at the time of, or in anticipation of, contracting for the appropriation obligations and at any time thereafter so long

1 as the appropriation obligations are outstanding, the department may enter into
2 agreements and ancillary arrangements relating to the appropriation obligations,
3 including trust indentures, liquidity facilities, remarketing or dealer agreements,
4 letter of credit agreements, insurance policies, guaranty agreements,
5 reimbursement agreements, indexing agreements, or interest exchange
6 agreements. Any payments made or received pursuant to any such agreement or
7 ancillary arrangement shall be made from or deposited as provided in the agreement
8 or ancillary arrangement. The determination of the department included in an
9 interest exchange agreement that such agreement relates to an appropriation
10 obligation shall be conclusive.

11 **SECTION 88.** 16.527 (4) (h) of the statutes is created to read:

12 16.527 (4) (h) 1. Subject to subd. 2., the terms and conditions of an interest
13 exchange agreement under par. (e) shall not be structured so that, as of the trade date
14 of the agreement, both of the following are reasonably expected to occur:

15 a. The aggregate expected debt service and net exchange payments relating to
16 the agreement during the fiscal year in which the trade date occurs will be less than
17 the aggregate expected debt service and net exchange payments relating to the
18 agreement that would be payable during that fiscal year if the agreement is not
19 executed.

20 b. The aggregate expected debt service and net exchange payments relating to
21 the agreement in subsequent fiscal years will be greater than the aggregate expected
22 debt service and net exchange payments relating to the agreement that would be
23 payable in those fiscal years if the agreement is not executed.

24 2. Subd. 1. shall not apply if either of the follow occurs:

1 a. The department receives a determination by the independent financial
2 consulting firm that the terms and conditions of the agreement reflect payments by
3 the state that represent on-market rates as of the trade date for the particular type
4 of agreement.

5 b. The department provides written notice to the joint committee on finance of
6 its intention to enter into an agreement that is reasonably expected to satisfy subd.
7 1., and the joint committee on finance either approves or disapproves, in writing, the
8 department's entering into the agreement within 14 days of receiving the written
9 notice from the commission.

10 3. This paragraph shall not limit the liability of the state under an agreement
11 if actual contracted net exchange payments in any fiscal year exceed original
12 expectations.

13 **SECTION 88d.** 16.527 (4) (i) of the statutes is created to read:

14 16.527 (4) (i) With respect to any interest exchange agreement or agreements
15 specified in par. (e), all of the following shall apply:

16 1. The department shall contract with an independent financial consulting
17 firm to determine if the terms and conditions of the agreement reflect a fair market
18 value, as of the proposed date of the execution of the agreement.

19 2. The interest exchange agreement must identify by maturity, bond issue, or
20 bond purpose the obligation to which the agreement is related. The determination
21 of the department included in an interest exchange agreement that such agreement
22 relates to an obligation shall be conclusive.

23 3. The resolution authorizing the department to enter into any interest
24 exchange agreement shall require that the terms and conditions of the agreement
25 reflect a fair market value as of the date of execution of the agreement, as reflected

1 by the determination of the independent financial consulting firm under subd. 1.,
2 and shall establish guidelines for any such agreement, including the following:

3 a. The conditions under which the department may enter into the agreements.

4 b. The form and content of the agreements.

5 c. The aspects of risk exposure associated with the agreements.

6 d. The standards and procedures for counterparty selection.

7 e. The standards for the procurement of, and the setting aside of reserves, if
8 any, in connection with, the agreements.

9 f. The provisions, if any, for collateralization or other requirements for securing
10 any counterparty's obligations under the agreements.

11 g. A system for financial monitoring and periodic assessment of the
12 agreements.

13 **SECTION 88h.** 16.527 (4) (j) of the statutes is created to read:

14 16.527 (4) (j) Semiannually, during any year in which the state is a party to an
15 agreement entered into pursuant to par. (e), the department shall submit a report
16 to the cochairpersons of the joint committee on finance listing all such agreements.

17 The report shall include all of the following:

18 1. A description of each agreement, including a summary of its terms and
19 conditions, rates, maturity, and the estimated market value of each agreement.

20 2. An accounting of amounts that were required to be paid and received on each
21 agreement.

22 3. Any credit enhancement, liquidity facility, or reserves, including an
23 accounting of the costs and expenses incurred by the state.

24 4. A description of the counterparty to each agreement.

1 5. A description of the counterparty risk, the termination risk, and other risks
2 associated with each agreement.

3 **SECTION 89b.** 16.528 (1) (a) of the statutes is amended to read:

4 16.528 (1) (a) "Agency" means an office, department, independent agency,
5 institution of higher education, association, society, or other body in state
6 government created or authorized to be created by the constitution or any law, that
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
9 ch. 149 or in ch. 231, 233, 234, or 237, or 279.

10 **SECTION 90b.** 16.53 (2) of the statutes is amended to read:

11 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
12 invoice, the agency shall notify the sender of the invoice within 10 working days after
13 it receives the invoice of the reason it is improperly completed. In this subsection,
14 "agency" means an office, department, independent agency, institution of higher
15 education, association, society, or other body in state government created or
16 authorized to be created by the constitution or any law, that is entitled to expend
17 moneys appropriated by law, including the legislature and the courts, but not
18 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.
19 231, 233, 234, or 237, or 279.

20 **SECTION 91.** 16.53 (10) (a) of the statutes is amended to read:

21 16.53 (10) (a) If an emergency arises which requires the department to draw
22 vouchers for payments which will be in excess of available moneys in any state fund,
23 the secretary, after notifying the joint committee on finance under par. (b), may
24 prorate and establish priority schedules for all payments within each fund, including
25 those payments for which a specific payment date is provided by statute, except as

1 otherwise provided in this paragraph. The secretary shall draw all vouchers
2 according to the preference provided in this paragraph. All direct or indirect
3 payments of principal or interest on state bonds and notes issued under subch. I of
4 ch. 18 and payments due, if any, under an agreement or ancillary arrangement
5 entered into under s. 18.06 (8) (a) relating to any public debt contracted under
6 subchs. I and IV of ch. 18 have first priority. All direct or indirect payments of
7 principal or interest on state notes issued under subch. III of ch. 18 have 2nd priority.
8 No payment having a 1st or 2nd priority may be prorated or reduced under this
9 subsection. All state employee payrolls have 3rd priority. The secretary shall draw
10 all remaining vouchers according to a priority determined by the secretary. The
11 secretary shall maintain records of all claims prorated under this subsection.

12 **SECTION 92b.** 16.54 (9) (a) 1. of the statutes is amended to read:

13 16.54 (9) (a) 1. "Agency" means an office, department, independent agency,
14 institution of higher education, association, society or other body in state
15 government created or authorized to be created by the constitution or any law, which
16 is entitled to expend moneys appropriated by law, including the legislature and the
17 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
18 ch. 149 or in ch. 231, 233, 234, or 237, or 279.

19 **SECTION 93.** 16.54 (12) (a) of the statutes is amended to read:

20 16.54 (12) (a) The Except as provided under 2007 Wisconsin Act ... (this act),
21 section 9121 (1m), the department of health and family services may not expend or
22 encumber any moneys received under s. 20.435 (8) (mm) unless the department of
23 health and family services submits a plan for the expenditure of the moneys to the
24 department of administration and the department of administration approves the
25 plan.

1 **SECTION 94.** 16.54 (12) (a) of the statutes, as affected by 2007 Wisconsin Act
2 (this act), is amended to read:

3 16.54 (12) (a) ~~Except as provided under 2007 Wisconsin Act (this act),~~
4 ~~section 9121 (1m), the~~ The department of health and family services may not expend
5 or encumber any moneys received under s. 20.435 (8) (mm) unless the department
6 of health and family services submits a plan for the expenditure of the moneys to the
7 department of administration and the department of administration approves the
8 plan.

9 **SECTION 95.** 16.54 (12) (b) of the statutes is amended to read:

10 16.54 (12) (b) ~~The~~ Except as provided under 2007 Wisconsin Act (this act),
11 ~~section 9155 (1m), the~~ department of workforce development children and families
12 may not expend or encumber any moneys received under s. 20.445 credited to the
13 appropriation account under s. 20.437 (2) (mm) or (3) (mm) unless the department
14 of workforce development children and families submits a plan for the expenditure
15 of the moneys to the department of administration and the department of
16 administration approves the plan.

17 **SECTION 96.** 16.54 (12) (b) of the statutes, as affected by 2007 Wisconsin Act
18 (this act), is amended to read:

19 16.54 (12) (b) ~~Except as provided under 2007 Wisconsin Act (this act),~~
20 ~~section 9155 (1m), the~~ The department of children and families may not expend or
21 encumber any moneys credited to the appropriation account under s. 20.437 (2) (mm)
22 or (3) (mm) unless the department of children and families submits a plan for the
23 expenditure of the moneys to the department of administration and the department
24 of administration approves the plan.

25 **SECTION 97.** 16.54 (12) (d) of the statutes is amended to read:

1 16.54 (12) (d) At the end of each fiscal year, the department of administration
2 shall determine the amount of moneys that remain in the appropriation accounts
3 under ss. 20.435 (8) (mm) and 20.445 (3) (mm) that have not been encumbered or
4 expended under 2007 Wisconsin Act (this act), section 9121 (1m), or approved for
5 encumbrance or expenditure by the department pursuant to a plan submitted under
6 par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The
7 department shall notify the cochairpersons of the joint committee on finance, in
8 writing, of the department's action under this paragraph.

9 **SECTION 98.** 16.54 (12) (d) of the statutes, as affected by 2007 Wisconsin Act
10 (this act), section 97, is amended to read:

11 16.54 (12) (d) At the end of each fiscal year, the department of administration
12 shall determine the amount of moneys that remain in the appropriation accounts
13 under ss. 20.435 (8) (mm) and 20.445 20.437 (2) (mm) and (3) (mm) that have not been
14 encumbered or expended under 2007 Wisconsin Act (this act), section 9121 9155
15 (1m), or approved for encumbrance or expenditure by the department pursuant to
16 a plan submitted under par. (a) or (b) and shall require that such moneys be lapsed
17 to the general fund. The department shall notify the cochairpersons of the joint
18 committee on finance, in writing, of the department's action under this paragraph.

19 **SECTION 99.** 16.54 (12) (d) of the statutes, as affected by 2007 Wisconsin Act
20 (this act), section 98, is repealed and recreated to read:

21 16.54 (12) (d) At the end of each fiscal year, the department of administration
22 shall determine the amount of moneys that remain in the appropriation accounts
23 under ss. 20.435 (8) (mm) and 20.437 (2) (mm) and (3) (mm) that have not been
24 approved for encumbrance or expenditure by the department pursuant to a plan
25 submitted under par. (a) or (b) and shall require that such moneys be lapsed to the

1 general fund. The department shall notify the cochairpersons of the joint committee
2 on finance, in writing, of the department's action under this paragraph.

3 **SECTION 100b.** 16.70 (2) of the statutes is amended to read:

4 16.70 (2) "Authority" means a body created under subch. II of ch. 114 or subch.
5 III of ch. 149 or under ch. 231, 232, 233, 234, 235, ~~or 237,~~ or 279.

6 **SECTION 101d.** 16.71 (1m) of the statutes is amended to read:

7 16.71 (1m) The department shall not delegate to any executive branch agency,
8 other than the board of regents of the University of Wisconsin System, the authority
9 to enter into any contract for materials, supplies, equipment, or contractual services
10 relating to information technology or telecommunications prior to review and
11 approval of the contract by the department. No executive branch agency, other than
12 the board of regents of the University of Wisconsin System, may enter into any such
13 contract without review and approval of the contract by the department. Any
14 executive branch agency that enters into a contract relating to information
15 technology under this section shall comply with the requirements of s. 16.973 (13).
16 Any delegation to the board of regents of the University of Wisconsin System is
17 subject to the limitations prescribed in s. 36.11 (49).

18 **SECTION 101k.** 16.72 (2) (e) (intro.) of the statutes is amended to read:

19 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the
20 department and any other designated purchasing agent under s. 16.71 (1) shall
21 incorporate requirements for the purchase of products made from recycled materials
22 and recovered materials if their use is technically and economically feasible. Each
23 authority other than the University of Wisconsin Hospitals and Clinics Authority,
24 the Lower Fox River Remediation Authority, and the Health Insurance
25 Risk-Sharing Plan Authority, in writing specifications for purchasing by the

1 authority, shall incorporate requirements for the purchase of products made from
2 recycled materials and recovered materials if their use is technically and
3 economically feasible. The specifications shall include requirements for the
4 purchase of the following materials:

5 **SECTION 101L.** 16.72 (2) (f) of the statutes is amended to read:

6 16.72 (2) (f) In writing specifications under this subsection, the department,
7 any other designated purchasing agent under s. 16.71 (1), and each authority other
8 than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox
9 River Remediation Authority, and the Health Insurance Risk-Sharing Plan
10 Authority shall incorporate requirements relating to the recyclability and ultimate
11 disposition of products and, wherever possible, shall write the specifications so as to
12 minimize the amount of solid waste generated by the state, consistent with the
13 priorities established under s. 287.05 (12). All specifications under this subsection
14 shall discourage the purchase of single-use, disposable products and require,
15 whenever practical, the purchase of multiple-use, durable products.

16 **SECTION 102.** 16.75 (1) (a) 1. of the statutes, as affected by 2005 Wisconsin Act
17 141, is amended to read:

18 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
19 materials, supplies, equipment, and contractual services to be provided to any
20 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
21 (6), (7), (8), (9), (10e), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05
22 (7) (f), 153.05 (2m) (a), and 287.15 (7), and ~~301.265~~, shall be awarded to the lowest
23 responsible bidder, taking into consideration life cycle cost estimates under sub.
24 (1m), when appropriate, the location of the agency, the quantities of the articles to

1 be supplied, their conformity with the specifications, and the purposes for which they
2 are required and the date of delivery.

3 **SECTION 102e.** 16.75 (1m) of the statutes is amended to read:

4 16.75 (1m) The department shall award each order or contract for materials,
5 supplies or equipment on the basis of life cycle cost estimates, whenever such action
6 is appropriate. Each authority other than the University of Wisconsin Hospitals and
7 Clinics Authority and, the Lower Fox River Remediation Authority, the Wisconsin
8 Aerospace Authority, and the Health Insurance Risk-Sharing Plan Authority shall
9 award each order or contract for materials, supplies or equipment on the basis of life
10 cycle cost estimates, whenever such action is appropriate. The terms, conditions and
11 evaluation criteria to be applied shall be incorporated in the solicitation of bids or
12 proposals. The life cycle cost formula may include, but is not limited to, the
13 applicable costs of energy efficiency, acquisition and conversion, money,
14 transportation, warehousing and distribution, training, operation and maintenance
15 and disposition or resale. The department shall prepare documents containing
16 technical guidance for the development and use of life cycle cost estimates, and shall
17 make the documents available to local governmental units.

18 **SECTION 103.** 16.75 (6) (bm) of the statutes is amended to read:

19 16.75 (6) (bm) If the secretary determines that it is in the best interest of this
20 state to do so, he or she may waive any requirement under subs. (1) to (5) and ss.
21 16.705 and 16.72 (2) (e) and (f) and (5) with respect to any contract entered into by
22 the department of ~~workforce development~~ children and families under s. 49.143, if
23 the department of ~~workforce development~~ children and families presents the
24 secretary with a process for the procurement of contracts under s. 49.143 and the
25 secretary approves the process.

1 **SECTION 103g.** 16.75 (8) of the statutes is amended to read:

2 16.75 (8) (a) 1. The department, any other designated purchasing agent under
3 s. 16.71 (1), any agency making purchases under s. 16.74, and each authority other
4 than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox
5 River Remediation Authority, and the Health Insurance Risk-Sharing Plan
6 Authority shall, to the extent practicable, make purchasing selections using
7 specifications developed under s. 16.72 (2) (e) to maximize the purchase of materials
8 utilizing recycled materials and recovered materials.

9 2. Each agency and authority other than the University of Wisconsin Hospitals
10 and Clinics Authority, the Lower Fox River Remediation Authority, and the Health
11 Insurance Risk-Sharing Plan Authority shall ensure that the average recycled or
12 recovered content of all paper purchased by the agency or authority measured as a
13 proportion, by weight, of the fiber content of paper products purchased in a fiscal
14 year, is not less than 40% of all purchased paper.

15 **SECTION 103h.** 16.75 (9) of the statutes is amended to read:

16 16.75 (9) The department, any other designated purchasing agent under s.
17 16.71 (1), any agency making purchases under s. 16.74, and any authority other than
18 the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River
19 Remediation Authority, and the Health Insurance Risk-Sharing Plan Authority
20 shall, to the extent practicable, make purchasing selections using specifications
21 prepared under s. 16.72 (2) (f).

22 **SECTION 104b.** 16.765 (1) of the statutes is amended to read:

23 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
24 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
25 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower

Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities.

SECTION 105b. 16.765 (2) of the statutes is amended to read:

16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract executed by them: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and

1 applicants for employment, notices to be provided by the contracting officer setting
2 forth the provisions of the nondiscrimination clause”.

3 **SECTION 106b.** 16.765 (4) of the statutes is amended to read:

4 16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and
5 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
6 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower
7 Fox River Remediation Authority, and the Bradley Center Sports and
8 Entertainment Corporation shall take appropriate action to revise the standard
9 government contract forms under this section.

10 **SECTION 107b.** 16.765 (5) of the statutes is amended to read:

11 16.765 (5) The head of each contracting agency and the boards of directors of
12 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
13 Navigational System Authority, the Wisconsin Aerospace Authority, the Health
14 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation
15 Authority, and the Bradley Center Sports and Entertainment Corporation shall be
16 primarily responsible for obtaining compliance by any contractor with the
17 nondiscrimination and affirmative action provisions prescribed by this section,
18 according to procedures recommended by the department. The department shall
19 make recommendations to the contracting agencies and the boards of directors of the
20 University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational
21 System Authority, the Wisconsin Aerospace Authority, the Health Insurance
22 Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the
23 Bradley Center Sports and Entertainment Corporation for improving and making
24 more effective the nondiscrimination and affirmative action provisions of contracts.

1 The department shall promulgate such rules as may be necessary for the
2 performance of its functions under this section.

3 **SECTION 108b.** 16.765 (6) of the statutes is amended to read:

4 16.765 (6) The department may receive complaints of alleged violations of the
5 nondiscrimination provisions of such contracts. The department shall investigate
6 and determine whether a violation of this section has occurred. The department may
7 delegate this authority to the contracting agency, the University of Wisconsin
8 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
9 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,
10 the Lower Fox River Remediation Authority, or the Bradley Center Sports and
11 Entertainment Corporation for processing in accordance with the department's
12 procedures.

13 **SECTION 109b.** 16.765 (7) (intro.) of the statutes is amended to read:

14 16.765 (7) (intro.) When a violation of this section has been determined by the
15 department, the contracting agency, the University of Wisconsin Hospitals and
16 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
17 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower
18 Fox River Remediation Authority, or the Bradley Center Sports and Entertainment
19 Corporation, the contracting agency, the University of Wisconsin Hospitals and
20 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
21 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower
22 Fox River Remediation Authority, or the Bradley Center Sports and Entertainment
23 Corporation shall:

24 **SECTION 110b.** 16.765 (7) (d) of the statutes is amended to read:

1 16.765 (7) (d) Direct the violating party to take immediate steps to prevent
2 further violations of this section and to report its corrective action to the contracting
3 agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River
4 Navigational System Authority, the Wisconsin Aerospace Authority, the Health
5 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation
6 Authority, or the Bradley Center Sports and Entertainment Corporation.

7 **SECTION 111b.** 16.765 (8) of the statutes is amended to read:

8 16.765 (8) If further violations of this section are committed during the term
9 of the contract, the contracting agency, the Fox River Navigational System Authority,
10 the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan
11 Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports
12 and Entertainment Corporation may permit the violating party to complete the
13 contract, after complying with this section, but thereafter the contracting agency, the
14 Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the
15 Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation
16 Authority, or the Bradley Center Sports and Entertainment Corporation shall
17 request the department to place the name of the party on the ineligible list for state
18 contracts, or the contracting agency, the Fox River Navigational System Authority,
19 the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan
20 Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports
21 and Entertainment Corporation may terminate the contract without liability for the
22 uncompleted portion or any materials or services purchased or paid for by the
23 contracting party for use in completing the contract.

24 **SECTION 112g.** 16.847 (2) of the statutes is created to read:

1 16.847 (2) ENERGY CONSERVATION CONSTRUCTION PROJECTS. The department may
2 provide funding to agencies, as defined in s. 16.70 (1e), for energy conservation
3 construction projects at state facilities under the jurisdiction of the agencies to
4 enhance the energy efficiency of the facilities. The department shall prescribe
5 standards for evaluation of proposed projects and allocation of available moneys for
6 those projects under this subsection.

7 **SECTION 112r.** 16.847 (3) of the statutes is created to read:

8 16.847 (3) ASSESSMENTS. The department may annually assess any agency that
9 receives funding under sub. (2) in an amount determined by the department not
10 exceeding the agency's proportionate share of debt service costs incurred under s.
11 20.505 (5) (kd) or the savings in the agency's energy costs generated, whichever is
12 greater, as a result of an energy conservation construction project that was funded
13 by the department under sub. (2). The department shall credit all revenues received
14 under this subsection to the appropriation account under s. 20.505 (5) (kd).

15 **SECTION 113.** 16.848 (2) (gc), (gg), (gn), (gr), (gt) and (gw) of the statutes are
16 created to read:

17 16.848 (2) (gc) Subsection (1) does not apply to property that is subject to sale
18 by the department of military affairs under s. 21.19 (3) or 21.42 (3).

19 (gg) Subsection (1) does not apply to property that is conveyed by the
20 department of corrections under s. 301.25.

21 (gn) Subsection (1) does not apply to property that is subject to sale by the state
22 under 20.909 (2).

23 (gr) Subsection (1) does not apply to land that is sold or traded by the Kickapoo
24 reserve management board under s. 41.41 (7).

1 (gt) Subsection (1) does not apply to property that is donated by the department
2 of transportation under s. 84.09 (5r).

3 (gw) Subsection (1) does not apply to the sale of property by the department of
4 health and family services under s. 51.06 (6).

5 **SECTION 114.** 16.848 (4) of the statutes is amended to read:

6 16.848 (4) Except as provided in s. 13.48 (14) (e), if there is any outstanding
7 public debt used to finance the acquisition, construction, or improvement of any
8 property that is sold under sub. (1), the department shall deposit a sufficient amount
9 of the net proceeds from the sale of the property in the bond security and redemption
10 fund under s. 18.09 to repay the principal and pay the interest on the debt, and any
11 premium due upon refunding any of the debt. If the property was acquired,
12 constructed, or improved with federal financial assistance, the department shall pay
13 to the federal government any of the net proceeds required by federal law. If the
14 property was acquired by gift or grant or acquired with gift or grant funds, the
15 department shall adhere to any restriction governing use of the proceeds. Except as
16 required under sub. (5m) and ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there
17 is no such debt outstanding, there are no moneys payable to the federal government,
18 and there is no restriction governing use of the proceeds, and if the net proceeds
19 exceed the amount required to be deposited, paid, or used for another purpose under
20 this subsection, the department shall deposit the net proceeds or remaining net
21 proceeds in the general fund.

22 **SECTION 115b.** 16.85 (2) of the statutes is amended to read:

23 16.85 (2) To furnish engineering, architectural, project management, and other
24 building construction services whenever requisitions therefor are presented to the
25 department by any agency. The department may deposit moneys received from the

provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, ~~or 237~~, or 279.

SECTION 116b. 16.865 (8) of the statutes is amended to read:

16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235, ~~or 237~~, or 279.

SECTION 117m. 16.956 of the statutes is created to read:

16.956 Office of energy independence. (1) In this section:

1 (a) “Biodevelopment” means research and development relating to the use of
2 renewable resources for electricity, energy, and heating and transportation fuels.

3 (b) “Bioindustry” means the manufacture, production, and trade of renewable
4 resources used for electricity, energy, and heating and transportation fuels.

5 (c) “Office” means the office of energy independence.

6 (2) The office shall work on initiatives that have the following goals:

7 (a) Advancing Wisconsin’s vision for energy independence by generating at
8 least 25 percent of power, and at least 25 percent of transportation fuels, used in this
9 state from renewable resources by 2025.

10 (b) Capturing in-state at least 10 percent of the national emerging bioindustry
11 and renewable energy markets by 2030.

12 (c) Ensuring that Wisconsin is a national leader in groundbreaking research
13 that will make alternative energies more affordable and create well-paying jobs in
14 this state.

15 (3) The office shall do all of the following:

16 (a) Ensure and facilitate the implementation of the initiatives specified in sub.
17 (2) and identify barriers to the implementation of such initiatives.

18 (b) Serve as a single point of contact to assist businesses, local units of
19 government, and nongovernmental organizations that are pursuing
20 biodevelopment, energy efficiency, and energy independence.

21 (c) Develop energy independence policy options for consideration by the
22 governor and state agencies.

23 (d) Identify federal funding opportunities and facilitate applications for federal
24 funding by private, and state and local governmental, entities.

(e) Perform duties necessary to maintain federal energy funding and any designations required for such funding.

SECTION 118. 16.957 (3) (a) of the statutes is amended to read:

16.957 (3) (a) The department shall, on the basis of competitive bids, contract with community action agencies described in s. ~~46.30~~ 49.265 (2) (a) 1., nonstock, nonprofit corporations organized under ch. 181, or local units of government to provide services under the programs established under sub. (2) (a).

SECTION 119. 16.964 (1) (f) of the statutes is repealed.

SECTION 120. 16.964 (3) of the statutes is amended to read:

16.964 (3) The governor shall appoint an executive director under s. 15.105 (19) (a) outside of the classified service.

SECTION 122. 16.964 (10) of the statutes is repealed.

SECTION 123. 16.964 (12) (c) 10. of the statutes is amended to read:

16.964 (12) (c) 10. The program is developed with input from, and implemented in collaboration with, one or more circuit court judges, the district attorney, the state public defender, local law enforcement officials, county agencies responsible for providing social services, including services relating to alcohol and other drug addiction, child welfare, mental health, and the Wisconsin Works program, the departments of corrections, children and families, and health and family services, private social services agencies, and substance abuse treatment providers.

SECTION 124. 16.964 (12) (e) 1. of the statutes is amended to read:

16.964 (12) (e) 1. A county that receives a grant under this subsection shall create an oversight committee to advise the county in administering and evaluating its program. Each committee shall consist of a circuit court judge, the district attorney or his or her designee, the state public defender or his or her designee, a local